



HAYWOOD COUNTY BOARD OF COMMISSIONERS

AGENDA REQUEST

***Must be presented to the County Manager's Office
NO LATER THAN 5 P.M. FRIDAY THE WEEK BEFORE THE MEETING***

DATE OF REQUEST: Thursday, February 25, 2016

FROM: Sheriff Greg Christopher

MEETING DATE REQUESTED: Monday, March 7, 2016 at 9:00am

SUBJECT:
Resolution regarding the use of inmates to work within Haywood County.

REQUEST:
To allow the use of inmates confined in the Haywood County Detention Center to work on projects that are beneficial to Haywood County.

BACKGROUND:
Based upon NCGS 162-58, the BOCC can adopt the resolution to make use of inmates confined within the Haywood County Detention Center for purposes of working on and assisting with projects that are beneficial to Haywood County. NCGS 162-59, allows the custodial entity, the Sheriff to process, qualify and permit those inmates based upon inmate actions, past history and criminal charges.

IMPLEMENTATION PLAN: \$0.00

FINANCIAL IMPACT STATEMENT: Reduction in labor costs to citizens through use of inmate labor for projects that are beneficial to Haywood County.

SUPPORTING ATTACHMENTS: YES NO HOW MANY? 2

LIST:

1. Copy of NC General Statute reflecting the use of inmates for work purposes that benefit Haywood County, NCGS 162-58,
2. Copy of the NC General Statute reflecting the permission granted to inmates to participate in the work projects, NCGS 162-59.

PowerPoint Presentation: YES NO

PERSON MAKING PRESENTATION AT MEETING: Greg Christopher

TITLE: Sheriff

PHONE NUMBER: 828-356-2850

E-MAIL: gchristopher@haywoodnc.net

BOARD OF COMMISSIONERS

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COUNTY MANAGER
IRA DOVE

COUNTY ATTORNEY
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**RESOLUTION AUTHORIZING COUNTY INMATES
TO WORK ON PROJECTS THAT BENEFIT HAYWOOD COUNTY**

WHEREAS, Article 4, Chapter 162-58 of the North Carolina General Statutes authorizes the Haywood County Board of Commissioners to enact by resolution all necessary rules and regulations for work on projects that benefit units of the State or local government by persons convicted of misdemeanors or felonies and imprisoned in the local confinement facilities or satellite jail/work release units of their respective counties; and

WHEREAS, this statute authorizes the Sheriff to approve rules and regulations enacted by the Board; and

WHEREAS, this statute authorizes prisoners working under this section to be supervised by county employees or by the Sheriff; and

WHEREAS, pursuant to Article 4, Chapter 162-59 of the North Carolina General Statutes; no prisoner shall perform work pursuant to G.S. 162-58 unless the prisoner has been approved for the work by the person having custody of the prisoner;

NOW THEREFORE, BE IT HEREBY RESOLVED by the Board of Commissioners of the County of Haywood that persons convicted of misdemeanors, felonies or for civil contempt for failure to pay child support and imprisoned in the Haywood County Detention Center be allowed to work on projects that benefit Haywood County under the following rules and regulations set by this Board and approved by the Sheriff;

Requests for inmate work assistance must be approved by the Sheriff or his designee.

County employees who are approved to supervise inmate work crews will be provided training by the Sheriff's Office in the supervision of inmates and in the proper use of inmate work crews.

Inmates allowed to work pursuant to North Carolina General Statute 162-58 must be approved for the work by the Sheriff or his designee; county employees supervising inmates shall be provided notice that the persons placed under their supervision are from a local confinement facility or satellite jail/work release unit, in accordance with North Carolina General Statute 162-58 and North Carolina General Statute 162-59.

Inmates working under this section shall work in compliance with all Detention Center rules and regulations.

Inmates will not be allowed to fraternize with the public or accept any favors while performing this work.

Inmates will not be allowed to operate any county vehicles.

Inmates who leave their assigned work area will be considered an escaped inmate and will be subject to criminal prosecution.

County employees will report any inmate escape immediately to the Haywood County Detention Center.

All medical emergencies involving inmates will be the responsibility of the Haywood County Detention Center. Inmates needing medical treatment will be transported by a deputy or a detention officer for medical treatment.

APPROVED this 7th day of March 2016.

(County seal)

Mark Swanger, Chairman
Haywood County Board of Commissioners

Ira Dove
Clerk to the Board

§ 162-58. Counties may work prisoners.

The board of commissioners of the several counties may enact by resolution all necessary rules and regulations for work on projects to benefit units of State or local government by persons convicted of misdemeanors or felonies and imprisoned in the local confinement facilities or satellite jail/work release units of their respective counties. The sheriff shall approve rules and regulations enacted by the board. Prisoners working under this section shall be supervised by county employees or by the sheriff. The rules enacted by the board of county commissioners and approved by the sheriff shall specify a procedure for ensuring that county employees supervising prisoners pursuant to this section be provided with notice that the persons placed under their supervision are inmates from a local confinement facility or a satellite jail/work release unit. (1991 (Reg. Sess., 1992), c. 841, s. 1; 2002-159, s. 54.)

§ 162-59. Person having custody to approve prisoners for work.

No prisoner shall perform work pursuant to G.S. 162-58 unless the prisoner has been approved for the work by the person having custody of the prisoner. The decision to approve a prisoner for work shall be based on the prisoner's history of violence, if any, past criminal convictions, and current sentence. For purposes of this section, the person having custody of the prisoner is the sheriff, except that when the prisoner is confined in a district confinement facility the person having custody of the prisoner is the jail administrator. The person having custody of the prisoner may use his discretion to revoke his approval at any time and to return the prisoner to the local confinement facility or satellite jail/work release unit. Neither the person having custody of the prisoner nor any jailer may be held liable for the actions of any prisoner, including those actions committed during and after the escape of a prisoner, while the prisoner is outside their supervision pursuant to this section. (1991 (Reg. Sess., 1992), c. 841, s.